



4498-005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
Harvey M. NOVAK, et al. : Confirmation No. 5417  
Serial No. 09/973,936 : Group Art Unit: 2881  
Filed: October 11, 2001 : Examiner: Z. R. HASHMI  
For: THERMAL IMAGE IDENTIFICATION SYSTEM

**DECLARATION**

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

I, Harvey M. Novak, do hereby declare that:

1. I am the President of Falcon Systems Engineering Corporation, having a place of business at 2111 Baldwin Avenue, Suite 4, Crofton, MD 21114.
2. Chad Sample was a director of Falcon Systems Engineering Corporation between March 1999 and August 2002.
3. Mr. Sample is listed as one of the inventors of the above-identified patent application. I am also an inventor of the above-identified patent application.
4. Mr. Sample resigned his directorship in August of 2002.
5. On information and belief, the last known residence of Mr. Sample is 501 Defense Highway, Annapolis, Maryland 21401.
6. I spoke in person with Mr. Sample on Friday the 9<sup>th</sup> of 2004 and he refused to sign the assignment of the patent to Falcon Systems Engineering Corporation due to his employment at TVI Corporation.
7. Mr. Sample was not involved in the preparation of the patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/15/04

  
Harvey M. Novak



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Serial No. 09/973,936

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Confirmation No. 5417

Group Art Unit: 2881

Examiner: Z.R. HASHMI

**DECLARATION**ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

I, Harvey M. Novak, do hereby declare that:

1. I am the President of Falcon Systems Engineering Corporation, having a place of business at 2111 Baldwin Avenue, Suite 4, Crofton, MD 21114.
2. Paul R. Baity was an employee of Falcon Systems Engineering Corporation between April 10, 2000 and March 5, 2002.
3. Mr. Baity is one of the inventors of the above-identified patent application. I am also an inventor of the above-identified patent application.
4. Mr. Baity was terminated from Falcon Systems Engineering Corporation on March 5, 2002.
5. On information and belief, the last known residence of Mr. Baity is P.O. Box 633, Great Cacapon, West Virginia 25422.
6. On November 21, 2003, a complete copy of the above-identified application, together with an Assignment requesting Mr. Baity's signature (copy of letter attached) was mailed to Mr. Baity by way of "Certified Mail - Return Receipt Requested." Mr. Baity acknowledged receiving the documents as shown by the attached Post Office form. However, I have not received the signed Assignment from Mr. Baity.
7. Mr. Baity was involved in the preparation of the patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/8/04  
Harvey M. Novak